IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicants:	Dirk Husemann et al.	Group Art Unit:	2179
Serial No.:	09/613,113	Examiner:	Huynh, Ba
Filed:	July 10, 2000	Docket:	CH9-1999-0017-US1 (728-167)

For: **METHOD AND APPARATUS FOR PROVIDING A MORE POWERFUL USER-INTERFACE TO A DEVICE WITH A LIMITED USER-INTERFACE**

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPEAL BRIEF

Sir:

REAL PARTY IN INTEREST

The real party in interest is International Business Machines Corporation, the assignee of the subject application, having an office at P.O. Box 218, Yorktown Heights, New York 10598.

RELATED APPEALS AND INTERFERENCES

To the best of Appellants' knowledge and belief, there are no currently pending related appeals, interferences or judicial proceedings.

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8 (a)

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Dated: August 31, 2005

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STATUS OF CLAIMS

Original Claims 1-26 were filed with the original specification on July 10, 2000 with Claims 1, 16, 25 and 26 being in independent form. Claims 1, 3-7 and 9-26 were amended in the Amendment dated December 24, 2003. Claims 1, 16, 25 and 26 were amended in the Amendment dated May 18, 2004 and entered by the Examiner after filing the Request for Continued Examination (RCE) dated August 18, 2004. Claims 1, 16, 25 and 26 were amended in the Amendment dated December 21, 2004. Thus, Claims 1-26 are pending in the Appeal. For the purposes of this appeal, Claims 2-15 stand or fall together with Claim 1, Claims 17-24 stand or fall together with Claim 16, Claims 25 and 26 do not stand or fall with any of the claims. Claims 1 and 25 and 26 are method claims, and Claims 16 is an apparatus claim.

STATUS OF AMENDMENTS

The Appendix to this Appeal Brief includes independent Claims 1, 16, 25 and 26, as amended by the Amendment dated December 21, 2004 and the Amendment dated May 18, 2004, dependent Claims 3-7, 9-15 and 17-24, as amended in the Amendment dated May 18, 2004, and Claims 2 and 8 as originally filed. There have been no amendments filed subsequent to the final rejection set forth in the Office Action mailed April 1, 2005.

SUMMARY OF CLAIMED SUBJECT MATTER

The present invention provides an extended user-interface to a device with a limited user-interface. This extended or more powerful user interface is provided by a remote device (Specification, page 7, line 26 through page 8, line 9). Both the limited user-interface device and the remote device are interconnected via a wireless communication channel, and the two devices

support a common communications protocol (Specification, page 10, line 21 through page 11, line 5).

As defined by Claim 1, the present invention is drawn to a method for controlling at least one first device having a limited user-interface by using at least one second device, wherein the first and second devices communicate via a wireless communication channel and support a common communications protocol. The method teaches transmitting the limited user-interface information from the at least one first device to the at least one second device. The method teaches providing an extended user-interface on the at least one second device, the extended user interface having more extensive capabilities than the capabilities of the limited user-interface of the at least one first device, the extended user-interface utilizing the transmitted limited user-interface information and comprising extended functions so as to extend the capabilities of the limited user-interface. The method teaches accepting user commands input via the extended user-interface. The method teaches transmitting user commands from the second to the first device. The method teaches executing the transmitted user commands on the first device.

As defined by Claim 16, the present invention is drawn to a system for remotely controlling devices. The system has a first device comprising a limited user-interface, a first processor, a first transceiver, a first memory, and a first user-interface manager. The system has a second device comprising a second processor, a second transceiver, a second memory, and a second user-interface manager. The system has a wireless communications channel for communication between the first device and the second device. In the system, the first user-interface manager transmits the limited user-interface information to the second device via the first transceiver, the wireless communications channel and the second transceiver. In the system, the second user-interface manager provides an extended user-interface having more extensive

capabilities than the capabilities of the limited user-interface of the at least one first device, the extended user-interface utilizing the limited user-interface information and comprising extended functions so as to extend the capabilities of the limited user-interface. In the system, the second device accepts user commands via the second user-interface. In the system, the second device transmits user commands to the first device via the second transceiver, the wireless communications channel, and the first transceiver. In the system, the first device executes the user commands using information received from the second device.

As defined by Claim 25, the present invention also teaches a computer program device readable by a machine, tangibly embodying a program of instructions executable by the machine to perform method steps for instructing a device including a limited user-interface, a processor, a transceiver for interfacing through a wireless communications channel with a remote device, a memory, and a user-interface manager. The computer program device is used for transmitting the limited user-interface information through the wireless communications channel to the remote device. The computer program device is used for receiving user input generated at the remote device via the wireless communications channel, said remote device providing an extended user interface, said extended user interface having more extensive capabilities than the capabilities of the limited user-interface of the at least one first device, said extended user-interface utilizing the received limited user-interface information and comprising extended functions so as to extend the capabilities of the limited user-interface. The computer program device is used for executing the user input command. The computer program device is used for transmitting a confirmation signal to the remote device through the wireless communications channel.

As defined by Claim 26, the present invention further teaches a computer program device

readable by a machine, tangibly embodying a program of instructions executable by the machine to perform method steps for instructing a device including a user-interface manager, a processor, a memory, and a transceiver for interfacing through a wireless communications channel with a limited user-interface device. The computer program device is used for receiving limited user-interface information from the limited user-interface device through the wireless communications channel. The computer program device is used for providing an extended user-interface under the control of the extended user-interface manager, said extended user interface having more extensive capabilities than the capabilities of the limited user-interface of the at least one first device, said extended user-interface utilizing the received limited user-interface information and comprising extended functions so as to extend the capabilities of the limited user-interface. The computer program device is used for accepting user input commands via said extended user interface. The computer program device is used for sending user input commands via the wireless communications channel to the limited user-interface device. The computer program device is used for receiving a confirmation signal via the wireless communications channel from the limited user-interface device, said confirmation signal indicating that said input commands have been executed by the limited user-interface device. The computer program device is used for providing a notification to a user, said notification corresponding to the confirmation signal.

GROUNDS FOR REJECTION TO BE REVIEWED ON APPEAL

Whether Claims 1, and 16 under 35 U.S.C. §102(b) are anticipated by U.S. Patent No. 6,466,971 B1 to Humpleman et al. (hereinafter "Humpleman"), and whether Claims 25 and 26 are unpatentable under 35 U.S.C. §103(a) over Humpleman.

ARGUMENT

I. HUMPLEMAN FAILS TO ANTICIPATE THE INVENTION AS CLAIMED IN CLAIM 1.

Independent Claim 1 was said to be anticipated by Humpleman. See, paragraph 1, at p 2, of the Office Action dated April 1, 2005. Humpleman discloses a method and system for command and control among a plurality of devices via a network. More specifically, Humpleman teaches a home network which is directed to a method and system for device-to-device command and control in a network. It is the position of the Examiner [1] that Humpleman discloses all the limitations of Claim 1.

Claim 1 recites providing an extended user-interface on the at least one second device, the extended user interface having more extensive capabilities than the capabilities of the limited user-interface of the at least one first device, the extended user-interface utilizing the transmitted limited user-interface information and comprising extended functions so as to extend the capabilities of the limited user-interface.

However, Humpleman fails to teach or suggest providing an extended user-interface on the at least one second device, the extended user interface having more extensive capabilities than the capabilities of the limited user-interface of the at least one first device, the extended user-interface utilizing the transmitted limited user-interface information and comprising extended functions so as to extend the capabilities of the limited user-interface.

1. Humpleman fails to anticipate at least a limited user-interface.

[1] See Office Action dated April 1, 2005, p. 2.

As defined in the specification of the present invention, the first device (e.g., see "the first computer device 10 which has a limited user interface 11," Specification, p. 16, and FIG. 1) and the second computer device (e.g., see second computer device 12 that has superior user-interface capabilities; Id.) both have user interfaces to interact directly with the user. The user-interfaces as described in the specification include interfaces used for the interaction between a user and the device, such as a display, keyboard, mouse, track point, audio input, speech recognition input, or tactile input. (See Specification, p. 16.)

The first device, as recited in Claim 1, has been equated with the server device 14 as taught by Humpleman, and the second device as recited in Claim 1 has been equated with the controlled client device 12 as taught by Humpleman. (See Office Action dated April 1, 2005, pp. 2-3.)

However, Humpleman teaches "as defined herein, each server device 14 provides a service for the user, except control user interface, and each client device 12 provides control user interface for user interaction with the network 10. As such, only client devices 12 interact directly with users, and server devices 14 interact only with client devices 12 and other server devices 14". (Humpleman, Column 5, Lines 28-35.)

Humpleman does not teach or suggest the server devices 14 directly interacting with the user or having a limited user interface. Therefore, Humpleman can not anticipate the first device having a (limited) user interface as recited in Claim 1.

2. Humpleman does not disclose a limited user-interface of a first device being extended by a user interface of a second device.

It has been stated that the extended user-interface as recited in Claim 1 of the present

invention is disclosed by a graphical user interface (GUI) as taught by Humpleman and that "the user-interface of the client device is extended by the downloaded GUI page," and that "the download [sic] GUI page extends the capability of the client interface to interact with the services in the network". (See, Office Action dated September 22, 2004, page 7.)

As pointed out above, the Examiner equates the first device and the second device, as recited in claim 1, with the server 14 and the client 12 devices, respectively, as taught by Humpleman.

Accordingly, the statement "the user interface of the client device is extended by the downloaded [sic] GUI page," runs contrary to that which is claimed in Claim 1 of the present application in which it is the limited user-interface of the first device is extended by the extended user-interface of the second device. It is not the extended user-interface of the second device which is extended by the extended user-interface of the second device as the Examiner defines Humpleman.

In a similar fashion, the statement "the download [sic] GUI page extends the capability of the client interface to interact with the services in the network" also runs contrary to that which is claimed in Claim 1 of the present application in which it is the limited user-interface of the first device is extended by the extended user-interface of the second device.

3. Humpleman fails to disclose an extended user interface having more extensive capabilities than the capabilities of the limited user-interface of the at least one first device.

It is asserted that "the extended user interface having more extensive capabilities than the capabilities of the limited user-interface of the at least one first device..., the extended user-interface utilizing the transmitted limited user-interface information and comprising extended

functions so as to extend the capabilities of the limited user-interface" of Claim 1 is anticipated by "the interface and the function browsed and displayed in the GUI page" of Humpleman Column 10, Lines 28-36 (Office Action dated April 1, 2005, Page 2).

As pointed out above with regard to the Office Action dated September 22, 2004, wherein the Examiner stated "the user interface of the client device [12] is extended by the downloaded GUI page," that the "the user interface of the client device is extended by the downloaded GUI page," and that "the download [sic] GUI page extends the capability of the client interface to interact with the services in the network," the Examiner's assertion is contrary to that which is taught in Claim 1 of the present invention in which it is the limited user interface of the first device which is extended by the extended user interface of the second device.

Moreover, regarding the Examiner's assertion that the "the extended user interface" is disclosed by the GUI as taught by Humpleman (e.g., see Office Action page 2), as defined by the specification and the prosecution history (e.g., Specification, pp. 16-18 and 31, Responses dated December 24, 2003, May 18, 2004, and December 21, 2004), the extended user-interface is defined as an "extended user interface having more extensive capabilities than the capabilities of the limited user-interface of the at least one first device, the extended user-interface ...comprising extended functions so as to extend the capabilities of the limited user-interface". In other words, the extended user-interface has more extensive capabilities than the capabilities of the limited user interface and extends the capabilities of the limited user interface.

Humpleman teaches a graphical user-interface (GUI) [2], but also teaches each server 14 provides a service to a user except for a control user interface (Humpleman, Column 5, Lines 29-30). Accordingly, Humpleman does not teach or suggest a limited user interface, nor does

[2] Humpleman (Column 5, Lines 26-27).

Humpleman teach or suggest the extended user-interface having more extensive capabilities than the capabilities of the limited user-interface of the at least one first device, the extended user-interface utilizing the transmitted limited user-interface information and comprising extended functions so as to extend the capabilities of the limited user-interface.

II. HUMPLEMAN FAILS TO ANTICIPATE THE INVENTION AS CLAIMED IN CLAIM 16.

Independent Claim 16 was said to be anticipated by Humpleman. (See, paragraph 1, at p. 2, of the Office Action dated April 1, 2005.) As stated above with respect to Claim 1, Humpleman discloses a method and system for command and control among a plurality of devices via a network. More specifically, Humpleman teaches a home network which is directed to a method and system for device-to-device command and control in a network. It is the position of the Examiner [3] that Humpleman discloses all the limitations of Claim 16.

Claim 16 recites the first user-interface manager transmitting the limited user-interface information to the second device via the first transceiver, the wireless communications channel and the second transceiver, and the second user-interface manager providing an extended user-interface having more extensive capabilities than the capabilities of the limited user-interface of the at least one first device, the extended user-interface utilizing the limited user-interface information and comprising extended functions so as to extend the capabilities of the limited user-interface.

However, Humpleman fails to teach or suggest providing the first user-interface manager transmitting the limited user-interface information to the second device via the first transceiver, the wireless communications channel and the second transceiver, and the second user-interface

[3] See Office Action dated April 1, 2005, p. 2.

manager providing an extended user-interface having more extensive capabilities than the capabilities of the limited user-interface of the at least one first device, the extended user-interface utilizing the limited user-interface information and comprising extended functions so as to extend the capabilities of the limited user-interface.

1. Humpleman fails to disclose a first user-interface manager or a second user-interface manager.

Claim 16 recites a first-user interface manager and a second user-interface manager.

In the Office Action [4], a first user-interface manager and a second user-interface manager, each of which, either alone or in combination, is a distinguishing element of the present invention, were not addressed by the Examiner. Accordingly, withdrawal of the rejection under 35 U.S.C. 102(a) is warranted.

Accordingly, for at least the above-stated reason, Humpleman does not anticipate Claim 16.

2. Humpleman fails to anticipate at least a limited user interface.

As defined in the specification of the present invention, the first device (e.g., see "the first computer device 10 which has a limited user interface 11"; Specification, p. 16, and FIG. 1) and the second computer device (12) (e.g., see second computer device 12 that has superior user-interface capabilities; Id.) both have user interfaces to interact directly with the user. The user-interfaces as described in the specification include interfaces used for the interaction between a user and the device, such as a display, keyboard, mouse, track point, audio input, speech

[4] See Office Action dated April 1, 2005.

recognition input, or tactile input. See Specification, p. 16.

As discussed above in Section I. with regard to the rejection of Claim 1, the first device, as recited in Claim 16, has been equated with the server device 14 as taught by Humpleman, and the second device as recited in Claim 16 has been equated with the controlled client device 12 as taught by Humpleman. (See Office Action dated April 1, 2005, pp. 2-3.)

However, Humpleman teaches "as defined herein, each server device 14 provides a service for the user, except control user interface, and each client device 12 provides control user interface for user interaction with the network. 10. As such, only client devices 12 interact directly with users, and server devices 14 interact only with client devices 12 and other server devices 14". (Humpleman, Column 5, Lines 28-35.)

Humpleman does not teach or suggest the server devices 14 directly interacting with the user or having a limited user interface. Therefore, Humpleman can not anticipate the first device having a (limited) user interface as recited in Claim 16.

3. Humpleman does not disclose a limited user interface of a first device being extended by a user interface of a second device.

Claim 16 recites a first device comprising a limited user interface and a second device comprising a second user-interface manager providing an extended user interface to extend the capabilities of the limited user-interface.

For at least the same reasons as set forth above in Section I.2., with respect to Claim 1, Humpleman does not disclose a limited user interface of a first device being extended by a user interface of a second device as recited in Claim 16.

4. Humpleman fails to disclose an extended user-interface having more extensive capabilities than the capabilities of the limited user-interface of the at least one first device.

Claim 16 recites a first device comprising a limited user-interface and a second device comprising a second user-interface manager providing an extended user interface utilizing the limited user-interface information and comprising extended functions so as to extend the capabilities of the limited user-interface.

For at least the same reasons as set forth above in Section I.3., with respect to Claim 1, Humpleman fails to disclose an extended user interface having more extensive capabilities than the capabilities of the limited user-interface of the at least one first device as recited in Claim 16.

III. HUMPLEMAN FAILS TO RENDER OBVIOUS THE INVENTION AS CLAIMED IN CLAIM 25.

Independent Claim 25 was said to be rendered obvious by Humpleman. (See, paragraph 2, at p. 4, of the Office Action dated April 1, 2005.) As stated above with respect to Claim 1, Humpleman discloses a method and system for command and control among a plurality of devices via a network. More specifically, Humpleman teaches a home network which is directed to a method and system for device-to-device command and control in a network. It is the position of the Examiner [5] that Humpleman renders obvious all the limitations of Claim 25.

Claim 25 recites receiving user input generated at the remote device via the wireless communications channel, said remote device providing an extended user interface, said extended user interface having more extensive capabilities than the capabilities of the limited user-interface of the at least one first device, said extended user-interface utilizing the received

[5] See Office Action dated April 1, 2005, p. 4.

limited user-interface information and comprising extended functions so as to extend the capabilities of the limited user-interface.

However, Humpleman fails to teach or suggest the limitations of Claim 25. Specifically, Humpleman fails to teach or suggest receiving user input generated at the remote device via the wireless communications channel, said remote device providing an extended user interface, said extended user interface having more extensive capabilities than the capabilities of the limited user-interface of the at least one first device, said extended user-interface utilizing the received limited user-interface information and comprising extended functions so as to extend the capabilities of the limited user-interface.

1. Humpleman fails to teach or suggest at least a limited user interface.

As defined in the specification of the present invention, the first device (e.g., see "the first computer device 10 which has a limited user interface 11"; Specification, p. 16, and FIG. 1) and the remote/second computer device (e.g., see second computer device 12 that has superior user-interface capabilities; Id.) both have user interfaces to interact directly with the user. The user-interfaces as described in the specification include interfaces used for the interaction between a user and the device, such as a display, keyboard, mouse, track point, audio input, speech recognition input, or tactile input. (Specification, p. 16.)

The first device, as recited in Claim 25, has been equated with the server device 14 as taught by Humpleman, and the remote device as recited in Claim 25 has been equated with the controlled client device 12 as taught by Humpleman. (See Office Action dated April 1, 2005, pp 5-6.)

However, Humpleman teaches "as defined herein, each server device 14 provides a

service for the user, except control user interface, and each client device 12 provides control user interface for user interaction with the network. 10. As such, only client devices 12 interact directly with users, and server devices 14 interact only with client devices 12 and other server devices 14". (Humpleman, Column 5, Lines 28-35.)

Humpleman does not teach or suggest the server devices 14 directly interacting with the user or having a limited user interface. Therefore, Humpleman does not teach or suggest at the first device having a limited user interface as recited in Claim 25.

2. Humpleman fails to teach or suggest a limited user interface of a first device being extended by a user interface of a remote device.

It has been stated that the extended user-interface as recited in Claim 25 of the present invention is disclosed by Humpleman and that "the user interface of the client device is extended by the downloaded GUI page," and that "the download [sic] GUI page extends the capability of the client interface to interact with the services in the network". (See, Office Action dated September 22, 2004, pp. 6 and 7.)

As state above, the Examiner equates the first device (having the limited-user interface) and the remote device (having the extended user interface), as recited in Claim 25, with the server 14 and the client 12 devices, respectively, as taught by Humpleman.

Accordingly, the statement "the user interface of the client device is extended by the downloaded [sic] GUI page," runs contrary to that which is claimed in Claim 25 of the present application in which it is the limited user interface of the first device is extended by the extended user interface of the remote device. It is not the extended user interface of the remote device which is extended by the extended user interface of the second device as the Examiner defines.

In a similar fashion the statement "the download [sic] GUI page extends the capability of the client interface to interact with the services in the network" also runs contrary to that which is claimed in Claim 25 of the present invention in which it is the limited user interface of the first device is extended by the extended user interface of the remote device.

3. Humpleman fails to teach or suggest an extended user interface having more extensive capabilities than the capabilities of the limited user-interface of the at least one first device.

It is asserted that the "extended user-interface having more extensive capabilities than the capabilities of the limited user-interface of the at least one first device..., said extended user-interface utilizing the transmitted for limited user-interface information and comprising extended functions so as to extend the capabilities of the limited user-interface" is disclosed by "the interface and the function browsed and displayed in the GUI page" of Humpleman Column 10, Lines 28-36 (Office Action dated April 1, 2005, pp. 5 and 6). [6]

As pointed out above with regard to the Office Action dated September 22, 2004, wherein the Examiner stated "the user interface of the client device [12] is extended by the downloaded GUI page," that the "the user interface of the client device is extended by the downloaded GUI page," and that "the download [sic] GUI page extends the capability of the client interface to interact with the services in the network," the Examiner's assertion is contrary to that which is taught in Claim 25 of the present invention in which it is the limited user interface of the first device which is extended by the extended user interface of the remote device.

Moreover, regarding the Examiner's assertion that "the extended user interface

[6] As an initial matter, in the Office Action, the term "transmitted" was used instead of the term "received" as is actually contained in Claim 25. Accordingly, for the purposes of this Appeal, it is the Applicants' position that the word "transmitted" should be "received."

comprising extended functions so as to extend the capabilities of the limited user interface" is disclosed by the GUI as taught by Humpleman (e.g., see Office Action dated April 1, 2005, page 6), as defined by the specification and the prosecution history (e.g., Specification, pp. 16-18, p. 31, Responses dated December 24, 2003, May 18, 2004, and December 21, 2004), the extended user-interface is defined as an extended user-interface having more extensive capabilities than the capabilities of the limited user-interface of the at least one first device, the extended user-interface ...comprising extended functions so as to extend the capabilities of the limited user-interface". In other words, the extended user-interface has more extensive capabilities than the capabilities of the limited user-interface and extends the capabilities of the limited user-interface.

Humpleman teaches a graphical user-interface (GUI) [7], but also teaches each server 14 provides a service to a user except for a control user-interface (Humpleman, Column 5, Lines 29-30). Accordingly, Humpleman does not teach or suggest a limited user-interface, nor does Humpleman teach or suggest the extended user-interface having more extensive capabilities than the capabilities of the limited user-interface of the at least one first device, the extended user-interface utilizing the transmitted limited user-interface information and comprising extended functions so as to extend the capabilities of the limited user-interface. Moreover, there would be no reason for Humpleman to teach or suggest the limited user-interface having more extensive capabilities than the capabilities of the limited user-interface of the at least one first device, because as taught by Humpleman, "only client devices 12 interact directly with users, and server devices 14 interact only with client devices 12 and other server devices 14". (Humpleman, Column 5, Lines 28-35.)

[7] Humpleman (Column 5, Lines 26-27).

4. Humpleman fails to teach or suggest the extended user interface.

Although the extended user interface as taught by Claim 25 is alleged to be equivalent to the GUI as taught by Humpleman (Office Action dated September 24, 2004, page 7), the extended user interface as taught by Claim 25 of the present application provides more extensive capabilities of the limited user-interface and includes an audio input or other inputs.

This is more clearly illustrated with the following example in which a first device, e.g., a CD player, having a limited user-interface such as a text-only interface and a short range wireless connection, can use an extended user-interface of a second device such as a PDA (personal digital assistant), which provides a superior graphics-capable user-interface. Moreover, an optional third (remote) device (e.g., a mobile telephone) having a user interface with additional or different inputs (e.g., a microphone) can be used to provide its microphone input to the first device so that voice commands can be used to control the first device, which has a limited user-interface not including a microphone. Likewise, other devices having superior user-interfaces can be used either alone, or in combination with each other, as desired, to provide their superior user-interface to a device with a limited user-interface. (See Specification, pps.16-18, and response dated December 21, 2004.)

Accordingly, based on at least the above distinctions, the GUI as taught by the Humpleman does not render obvious the extended user-interface as recited in Claim 25.

IV. HUMPLEMAN FAILS TO ANTICIPATE THE INVENTION AS CLAIMED IN CLAIM

26.

Independent Claim 26 was said to be anticipated by Humpleman. (See, paragraph 2, at p. 4, of the Office Action dated April 1, 2005.) As stated above with respect to Claim 25, Humpleman discloses a method and system for command and control among a plurality of devices via a network. More specifically, Humpleman teaches a home network which is directed to a method and system for device-to-device command and control in a network. It is the position of the Examiner [8] that Humpleman renders obvious all the limitations of Claim 26.

Claim 26 recites receiving limited user-interface information from the limited user-interface device through the wireless communications channel, and providing an extended user-interface under the control of the extended user-interface manager, said extended user interface having more extensive capabilities than the capabilities of the limited user-interface of the at least one first device, said extended user-interface utilizing the received limited user-interface information and comprising extended functions so as to extend the capabilities of the limited user-interface.

However, Humpleman fails to teach or suggest receiving limited user-interface information from the limited user-interface device through the wireless communications channel, and providing an extended user-interface under the control of the extended user-interface manager, said extended user interface having more extensive capabilities than the capabilities of the limited user-interface of the at least one first device, said extended user-interface utilizing the received limited user-interface information and comprising extended functions so as to extend the capabilities of the limited user-interface.

[8] See Office Action dated April 1, 2005, p. 4.

1. Humpleman fails to teach or suggest an extended user-interface manager.

Claim 26 recites an extended user-interface manager.

In the Office Action [9], an extended user-interface manager, a distinguishing element of the present invention, was not addressed by the Examiner. Accordingly, withdrawal of the rejection under 35 U.S.C. 103(a) is warranted.

Accordingly, for at least the above-stated reason, Humpleman does not render Claim 26 obvious.

2. Humpleman fails to teach or suggest at least a limited user interface.

Claim 26 recites a limited user-interface.

For at least the same reasons as set forth above in Section III. 1., above with respect to Claim 25, Humpleman fails to teach or suggest at least the limited-user interface as recited in Claim 26.

3. Humpleman fails to teach or suggest a limited user-interface of a first device being extended by a user interface of a remote device.

Claim 26 recites providing an extended user-interface to extend the capabilities of the limited user-interface.

For at least the same reasons as set forth above in Section III.2., above with respect to Claim 25, Humpleman fails to teach or suggest at least a limited-user interface as recited in Claim 26.

[9] See Office Action dated April 1, 2005.

4. Humpleman fails to teach or suggest an extended user-interface having more extensive capabilities than the capabilities of the limited user-interface of the at least one first device.

It is asserted that the "extended user-interface having more extensive capabilities than the capabilities of the limited user-interface of the at least one first device..., said extended user-interface utilizing the transmitted limited user-interface information and comprising extended functions so as to extend the capabilities of the limited user-interface" is disclosed by "the interface and the function browsed and displayed in the GUI page" of Humpleman Column 10, Lines 28-36 (Office Action dated April 1, 2005, Page 5 and 6).

As pointed out above with regard to the Office Action dated September 22, 2004, wherein the Examiner stated "the user interface of the client device [12] is extended by the downloaded GUI page," that the "the user interface of the client device is extended by the downloaded GUI page," and that "the download [sic] GUI page extends the capability of the client interface to interact with the services in the network," the Examiner's assertion is contrary to that which is taught in Claim 26 of the present invention in which it is the limited user interface of the first device which is extended by the extended user interface of the remote device.

Moreover, regarding the Examiner's assertion that the "the extended user interface comprising extended functions so as to extend the capabilities of the limited user interface" is disclosed by the GUI as taught by Humpleman (e.g., see Office Action dated April 1, 2005, page 6), as defined by the specification and the prosecution history (e.g., Specification, pp. 16-18, p. 31, Responses dated December 24, 2003, May 18, 2004, and December 21, 2004), the extended user-interface is defined as an extended user-interface having more extensive capabilities than the capabilities of the limited user-interface of the at least one first device, the extended user-

interface ...comprising extended functions so as to extend the capabilities of the limited user-interface". In other words, the extended user-interface has more extensive capabilities than the capabilities of the limited user-interface and extends the capabilities of the limited user interface.

Humpleman teaches a graphical user interface (GUI) [10], but also teaches each server 14 provides a service to a user except for a control user interface (Humpleman, Column 5, Lines 29-30).

Accordingly, Humpleman does not teach or suggest a limited user interface, nor does Humpleman teach or suggest the extended user interface having more extensive capabilities than the capabilities of the limited user-interface of the at least one first device, the extended user-interface utilizing the transmitted limited user-interface information and comprising extended functions so as to extend the capabilities of the limited user-interface. Moreover, there would be no reason for Humpleman to teach or suggest the limited user interface having more extensive capabilities than the capabilities of the limited user-interface of the at least one first device, because as taught by Humpleman only client devices 12 interact directly with users, and server devices 14 interact only with client devices 12 and other server devices 14". (Humpleman, Column 5, Lines 28-35.)

4. Humpleman fails to teach or suggest the extended-user interface.

Claim 26 recites an extended user-interface having more extensive capabilities than the capabilities of the limited user interface and comprising extended functions so as to extend the capabilities of the limited user-interface.

For at least the same reasons as set forth above in Section III.4., with respect to Claim 25,

[10] Humpleman (Column 5, Lines 26-27).

Humpleman fails to teach or suggest at least the extended-user interface recited in Claim 26.

CONCLUSION

As Humpleman does not teach or suggest each and every element of Claims 1 and 16, Humpleman cannot anticipate the Claims 1 and 16. Accordingly, the rejection of Claims 1 and 16 must be reversed.

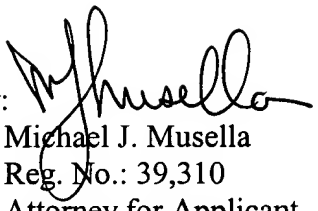
As the Examiner has failed to make out a prima facie case for an obviousness rejection, the rejection of Claim 25 and 26 must be reversed. It is well settled that in order for a rejection under 35 U.S.C. §103(a) to be appropriate, the claimed invention must be shown to be obvious in view of the prior art as a whole. A claim may be found to be obvious if it is first shown that all of the recitations of a claim are taught in the prior art or are suggested by the prior art. In re Royka, 490 F.2d 981, 985, 180 U.S.P.Q. 580, 583 (C.C.P.A. 1974), cited in M.P.E.P. §2143.03. The Examiner has failed to show that all of the recitations of Claims 25 and 26 are taught or suggested by Humpleman. Accordingly, the Examiner has failed to make out a prima facie case for an obviousness rejection.

Independent Claims 1 and 16 are not anticipated by, nor are Claims 25 and 26 rendered unpatentable by Humpleman. Thus independent Claims 1, 16, 25 and 26 are allowable.

Accordingly, dependent Claims 2-15 and 17-24 are allowable because of their respective

dependence upon independent Claims 1 and 16.

Dated: August 31, 2005

By: 
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CLAIMS APPENDIX

1. (Previously Presented) A method for controlling at least one first device having a limited user-interface by using at least one second device, wherein the first and second devices communicate via a wireless communication channel and support a common communications protocol, the method comprising the steps of:

transmitting the limited user-interface information from the at least one first device to the at least one second device;

providing an extended user-interface on the at least one second device, the extended user interface having more extensive capabilities than the capabilities of the limited user-interface of the at least one first device, the extended user-interface utilizing the transmitted limited user-interface information and comprising extended functions so as to extend the capabilities of the limited user-interface;

accepting user commands input via the extended user-interface;

transmitting user commands from the second to the first device; and

executing the transmitted user commands on the first device.

2. (Original) The method recited in Claim 1, wherein the user-interface information is a standardized user-interface description.

3. (Previously Presented) The method recited in Claim 1, wherein the second device transmits a list of available services to the first device prior to said first device transmitting user-interface information to said second device.

4. (Previously Presented) The method recited in Claim 1, wherein the wireless

communication channel is automatically established between the first device and the second device.

5. (Previously Presented) The method recited in Claim 1, wherein the second device comprises a display for displaying said extended user-interface.

6. (Previously Presented) The method recited in Claim 1, wherein the second device comprises a keyboard for accepting the user commands.

7. (Previously Presented) The method recited in Claim 1, wherein a markup language is used for user-interface information.

8. (Original) The method recited in Claim 7, wherein Wireless Markup Language (WML) is used as the markup language.

9. (Previously Presented) The method recited in Claim 1, wherein the second device provides the extended user-interface by using browser software to display at least a portion of the user-interface information.

10. (Previously Presented) The method recited in Claim 1, wherein a wireless session protocol is used for transmitting the user commands to the first device.

11. (Previously Presented) The method recited in Claim 1, wherein a hypertext transport protocol (HTTP) is used for transmitting the user command information to the first device.

12. (Previously Presented) The method recited in Claim 1, further comprising the step of sending a confirmation signal from the first device to the second device following the step of

executing the-transmitted user commands.

13. (Previously Presented) The method recited in Claim 12, wherein the confirmation signal indicates whether the execution of the transmitted user commands at the first device was successful.

14. (Previously Presented) The method recited in Claim 1, wherein the wireless communications channel is initiated by the first device.

15. (Previously Presented) The method recited in Claim 1, wherein, prior to said step of transmitting the limited user-interface information, the second device transmits a request signal to the first device requesting the limited user-interface information.

16. (Previously Presented) A system for remotely controlling devices, said system comprising:

a first device comprising a limited user-interface, a first processor, a first transceiver, a first memory, and a first user-interface manager;

a second device comprising a second processor, a second transceiver, a second memory, and a second user-interface manager; and

a wireless communications channel for communication between the first device and the second device, wherein

the first user-interface manager transmitting the limited user-interface information to the second device via the first transceiver, the wireless communications channel and the second transceiver;

the second user-interface manager providing an extended user-interface having more extensive capabilities than the capabilities of the limited user-interface of the at

least one first device, the extended user-interface utilizing the limited user-interface information and comprising extended functions so as to extend the capabilities of the limited user-interface;

the second device accepting user commands via the second user-interface;

the second computer device transmits user commands to the first device via the second transceiver, the wireless communications channel, and the first transceiver; and

the first device executes the user commands information received from the second device.

17. (Previously Presented) The system recited in Claim 16, wherein the first transceiver and the second transceiver automatically establish the wireless communication channel between the first device and the second device.

18. (Previously Presented) The system recited in Claim 16, wherein the second device further comprises a display that displays the extended user-interface.

19. (Previously Presented) The system recited in Claim 16, wherein the second device further comprises a keyboard for accepting the user input.

20. (Previously Presented) The system recited in Claim 16, wherein the second device provides the extended user-interface by using browser software to display the limited user-interface information.

21. (Previously Presented) The system recited in Claim 16, whereby the second device further enables a user to initiate a request by the second device of the limited user-interface information from the first device.

22. (Previously Presented) The system recited in Claim 16, further comprising a third device-comprising a third processor, a third transceiver, and a third memory storing part for storing the limited user-interface information.

23. (Previously Presented) The system recited in Claim 22, wherein a first part of the limited user-interface information is transmitted by the first device to the second device and a second part of the limited user-interface information is transmitted by the third device to the second device.

24. (Previously Presented) The system recited in Claim 23, wherein the first part of the limited user-interface information is a pointer identifying a portion of the third memory storing part where the second part of the limited user-interface information is stored.

25. (Previously Presented) A computer program device readable by a machine, tangibly embodying a program of instructions executable by the machine to perform method steps for instructing a device including a limited user-interface, a processor, a transceiver for interfacing through a wireless communications channel with a remote device, a memory, and a user-interface manager, to perform a method comprising the steps of:

(a) transmitting the limited user-interface information through the wireless communications channel to the remote device;

(b) receiving user input generated at the remote device via the wireless communications channel, said remote device providing an extended user interface, said extended user interface having more extensive capabilities than the capabilities of the limited user-interface of the at least one first device, said extended user-interface utilizing the received limited user-interface information and comprising extended functions so as to extend the capabilities of the limited

user-interface;

(c) executing the user input command; and

(d) transmitting a confirmation signal to the remote device through the wireless communications channel.

26. (Previously Presented) A computer program device readable by a machine, tangibly embodying a program of instructions executable by the machine to perform method steps for instructing a device including a user-interface manager, a processor, a memory, and a transceiver for interfacing through a wireless communications channel with a limited user-interface device, to perform a method comprising the steps of:

(a) receiving limited user-interface information from the limited user-interface device through the wireless communications channel;

(b) providing an extended user-interface under the control of the extended user-interface manager, said extended user interface having more extensive capabilities than the capabilities of the limited user-interface of the at least one first device, said extended user-interface utilizing the received limited user-interface information and comprising extended functions so as to extend the capabilities of the limited user-interface;

(c) accepting user input commands via said extended user interface;

(d) sending user input commands via the wireless communications channel to the limited user-interface device;

(e) receiving a confirmation signal via the wireless communications channel from the limited user-interface device, said confirmation signal indicating that said input commands have been executed by the limited user-interface device; and

(f) providing a notification to a user, said notification corresponding to the confirmation

signal.

EVIDENCE APPENDIX

There is no evidence submitted pursuant to 37 C.F.R. 1.130, 1.131, 1.132 or entered by the Examiner and relied upon by Appellant.

RELATED PROCEEDINGS APPENDIX

There are no known decisions rendered by a court or the Board in any proceeding identified pursuant to paragraph (c)(1)(ii) of 37 C.F.R. 41.37.